

The Honorable Ricardo S. Martinez

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,)

Petitioner,)

v.)

MICROSOFT CORPORATION, *et al.*)

Respondents.)

UNITED STATES OF AMERICA,)

Petitioner,)

v.)

CRAIG J. MUNDIE, *et al.*)

Respondents.)

Case No. 2:15-cv-00102 RSM

**DECLARATION OF JAMES E.
WEAVER IN SUPPORT OF UNITED
STATES' RESPONSE TO
MICROSOFT'S BRIEF REGARDING
COMMON DEFENSES TO
ENFORCEMENT OF SUMMONSES**

Case No. 2:15-cv-00103-RSM

Declaration of
James E. Weaver in Support of
Response of United States

U.S. Department of Justice
Ben Franklin Station
P.O. Box 683
Washington, D.C. 20044-0683

1
2 I, James E. Weaver, pursuant to 28 U.S.C. § 1746, declare and state to the best of my
3 knowledge as follows:

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5 1. I am employed as a senior litigation counsel with the United States Department of
6 Justice, Tax Division in Washington, D.C. I am assigned responsibility for representing the
7 interests of the United States in the captioned matter. I make this declaration in support of the
8 United States' Response to Microsoft's Brief Regarding Common Defenses to Enforcement of
9 Summonses.

10 2. I attach hereto as **Exhibit 1** a true and correct copy of the exhibit admitted into
11 evidence as Exhibit 1 during the evidentiary hearing held on August 25, 2015 in the captioned
12 cases.

13 3. I attach hereto as **Exhibit 13** a true and correct copy of the exhibit admitted into
14 evidence as Exhibit 13 during the evidentiary hearing held on August 25, 2015 in the captioned
15 cases.

16 4. I attach hereto as **Exhibit 16** a true and correct copy of the exhibit admitted into
17 evidence as Exhibit 16 during the evidentiary hearing held on August 25, 2015 in the captioned
18 cases, with additional redactions of a taxpayer identification number.

19 5. I attach hereto as **Exhibit 21** a true and correct copy of the exhibit admitted into
20 evidence as Exhibit 21 during the evidentiary hearing held on August 25, 2015 in the captioned
21 cases.

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1 6. I attach hereto as **Exhibit 22** a true and correct copy of the exhibit admitted into
2 evidence as Exhibit 22 during the evidentiary hearing held on August 25, 2015 in the captioned
3 cases.

4 7. I attach hereto as **Exhibit 23** a true and correct copy of the exhibit admitted into
5 evidence as Exhibit 23 during the evidentiary hearing held on August 25, 2015 in the captioned
6 cases.

7 8. I attach hereto as **Exhibit 31** a true and correct copy of the exhibit admitted into
8 evidence as Exhibit 31 during the evidentiary hearing held on August 25, 2015 in the captioned
9 cases.

10 9. I attach hereto as **Exhibit 40** a true and correct copy of the exhibit admitted into
11 evidence as Exhibit 40 during the evidentiary hearing held on August 25, 2015 in the captioned
12 cases.

13 10. I attach hereto as **Exhibit 41** a true and correct copy of the exhibit admitted into
14 evidence as Exhibit 41 during the evidentiary hearing held on August 25, 2015 in the captioned
15 cases.

16 I declare under penalty of perjury that the foregoing is true and correct.

17 Executed this 9th day of October, 2015.

18 /s/ James E. Weaver
19 JAMES E. WEAVER
20 Senior Litigation Counsel
United States Department of Justice
Tax Division

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